

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

Kevin Sullivan,

Plaintiff,

v.

ORDER

Civil No. 10-4076

Unum Life Insurance Company  
of America; Unum Group,

Defendants.

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Denise Yegge Tataryn and Emeric J. Dwyer, Mansfield, Tanick & Cohen,  
P.A., Counsel for Plaintiff.

Terrance J. Wagener and Molly R. Hamilton, Messerli & Kramer, P.A.,  
Counsel for Defendants.

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This matter is before the Court upon Defendant's motion for approval of a  
supersedeas bond to stay judgment pending appeal.

Pursuant to Federal Rule of Civil Procedure 62(d), an appellant may obtain  
a stay of judgment, upon the posting of a supersedeas bond approved by the  
court. Generally, the bond should cover the principal amount of the judgment  
and for the provision of costs, interest and damages for delay. Am. Mfrs. Mut.  
Ins. Co. v. Am. Broadcasting-Paramount Theatres, Inc., 87 S. Ct. 1, 3 (1966).

Defendants have proposed a bond in the amount of \$196,131.94. As Plaintiff points out, however, he was awarded benefits in the amount of \$7,107 from March 2009 through June 14, 2011, less \$155.20 for the months March 2009 through December 2009, and less \$139.50 for the month of January 2010, and attorney's fees in the amount of \$81,770.52. Total judgment is therefore \$275,284.42. As Plaintiff is entitled to interest and damages for delay, the Court will require Defendant to post a supersedeas bond in the amount of \$330,341.30.

IT IS HEREBY ORDERED that Defendant's Motion to Stay Judgment Pending Appeal is GRANTED upon the posting of a supersedeas bond in the amount of \$330,341.30.

Date: January 20, 2012

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court